VACATING

Improvement Res. No.945-1956

Which provides for the vacating of the alley between Drexel Ave. and Trentman Ave. from the east property line of Fruehauf Drive to the west property line of Lowell Street.

Resolution Adopted:

Oct. 18, 1956

Confirmed:

Nov. 15, 1956

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

March 14, 1957

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https://archive.org/details/declaratoryresol0945unse

DECLARATORY RESOLUTION No. 945 19 56

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of the alley between Drexel Avenue and Trentman Avenue from the east property line of Fruehauf Drive to the west property line of Lowell Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the alley between Drexel Avenue and Trentman Avenue from the east property line of Fruehauf Drive to the west property line of Lowell Street.

All as shown by a plan of such proposed ~~Opening~~ Vacation ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 17 to 29 inclusive and lots 86 to 98 inclusive, all in Pennsylvania Place Addition. Said addition inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Eighteen, Township 30 north, Range 13 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 18th DAY OF Oct. 19 56.

Attest: Lucela McGuire
Secretary Board of Public Works.
Clerk-Pkkpr.

Board of Public Works.

City of Fort Wayne

OFFICE OF
CITY PLAN COMMISSION

3

FORT WAYNE 2, INDIANA

September 13, 1956

Board of Public Works
City Hall
Fort Wayne, Indiana

Attention: Mr. J. Luther Hallett

Gentlemen:

A copy of the petition proposing the vacation of the alley between Drexel Boulevard and Trentman Street, running east and west from Fruehof Drive to Lowell Street, has been filed in this office.

In addition, the proposed plat of Oak Park Addition, Section B, has been filed and does provide for the dedication of a 14-foot utility easement, the center line of which is the center line of the existing alley which the developer proposes to vacate.

This office recommends that the proposed vacation be approved and that the easement be dedicated in lieu thereof.

Respectfully submitted,

CITY PLAN COMMISSION

Robert Y. Adams

Robert Y. Adams
Planning Director

RYA:med

Date October 29, 1956

To: Board of Public Works

Subject: Declaratory Resolution #945

Vacation of alley between Drexel and Trentman Avenues, from Fruehauf Drive to Lowell Street.

According to our records, no water mains or services will be affected by the above resolution.

R. Kreckman
Water Engineering Department

mkh

P. S. In the new platting of this area, there will be no reason to hold this alley for installation of sewers.

H. A. Kerby, Chief Engineer
Water & Sewer

HAK:hb

Form U-100 3

Date October 29, 1956

To: Board of Public Works

Subject: Declaratory Resolution #945

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Water & Sewer

HAK:hb

Form U-100 3

Nov. 15, 1956

Mr. C. R. McAnlis, City Engineer

Prepare Assessment Roll of Benefits & Damges

945 - which provides for the vacation of the alley between Drexel Avenue and Trentman Avenue from the east property line of Fruehauf Drive to the west property line of Lowell Street.

Yours truly,

J. L. Hallett

J. L. Hallett, Secretary
BOARD OF PUBLIC WORKS

JLH:c

Oct. 18, 19[illegible]

Mr. C. R. McAnlis, City Engineer

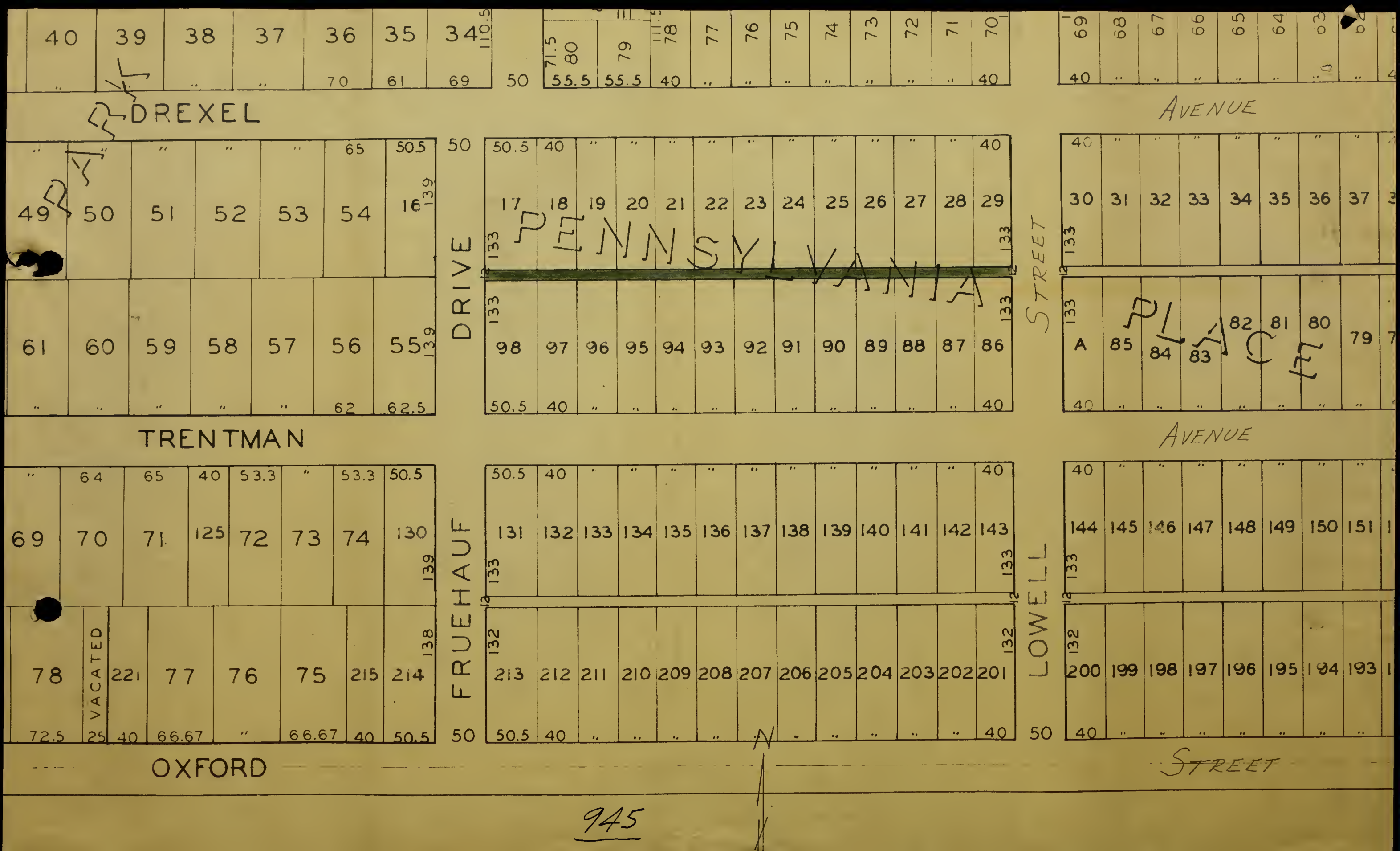
PREPARE PROPERTY OWNER LIST

945 - Which provides for the vacating of the alley between Drexel Avenue and Trentman Avenue from the east property line of Fruehauf Drive to the west property line of Lowell Street.

J. L. Hallett

J. L. Hallett, Secretary
BOARD OF PUBLIC WORKS

JLH:c


DREXEL
AVENUE
PLACE
TRENTMAN
DRIVE
PENNSYLVANIA
STREET
PLACE
AVENUE
OXFORD
FRUEHAUF
LOWELL
STREET
VACATED
N
945

STATE OF INDIANA
SS:
COUNTY OF ALLEN

BEFORE THE BOARD OF WORKS OF THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA.

IN THE MATTER OF THE VACATION OF AN ALLEY.	)	PETITION FOR RESOLUTION TO VACATE ALLEY BETWEEN DREXEL BLVD. AND TRENTMAN ~~STREET~~ Ave RUNNING EAST AND WEST FROM FRUEHAUF DRIVE TO LOWELL STREET.
PETITION OF LEBRATO HOMESITES, INC.	)	

Comes now Lebrato Homesites, Inc., an Indiana corporation, and respectfully petitions this Board to pass a Resolution to vacate the alley between Drexel Blvd. and Trentman Street, running east and west between Fruehauf Drive and Lowell Street, in the City of Fort Wayne, Allen County, Indiana, and to support this petition allege and say:

1. That the petitioners are the owners of all lots bordering said alley, to-wit:

> Lots 17 through 29, both inclusive, and Lots 86 through 98, both inclusive, in Pennsylvania Place Addition to the City of Fort Wayne, Allen County, Indiana.

2. Petitioners further allege that said alley has never been opened for public use, nor improved nor used as access to said lots bordering the same. That no improvements are now located on any lot bordering said alley.

3. Petitioners would further show that they propose a re-plat of said lots, as a part of the re-plat of Oak Park, Section " B ", to the City of Fort Wayne, Allen County, Indiana, a copy of which said proposed re-plat is attached hereto for reference. That in said proposed re-plat petitioners have established a 14 foot easement in lieu of said alley, and have proposed the widening of said lots to give service entrance to garages of owners of said lot in the future by a side drive, all as indicated by the attached proposed re-plat.

4. Petitioners would further show that said proposed plat, or re-plat is pending approval in the City Plan Commissions' Office.

WHEREFORE, your petitioners pray that this Board pass a resolution to vacate said alley aforesaid, and initiate the necessary steps to effectuate said vacation as promptly as possible in accordance with law, to permit the prompt approval of the proposed plat, or re-plat of said lots into Oak Park, Section " B ", an Addition to the City of Fort Wayne, Allen County, Indiana.

Dated: September 12, 1956.

LEBRATO HOMESITES, INC.

By Joseph F. Lebrato
President

SUBMITTED BY:

John E. Williams

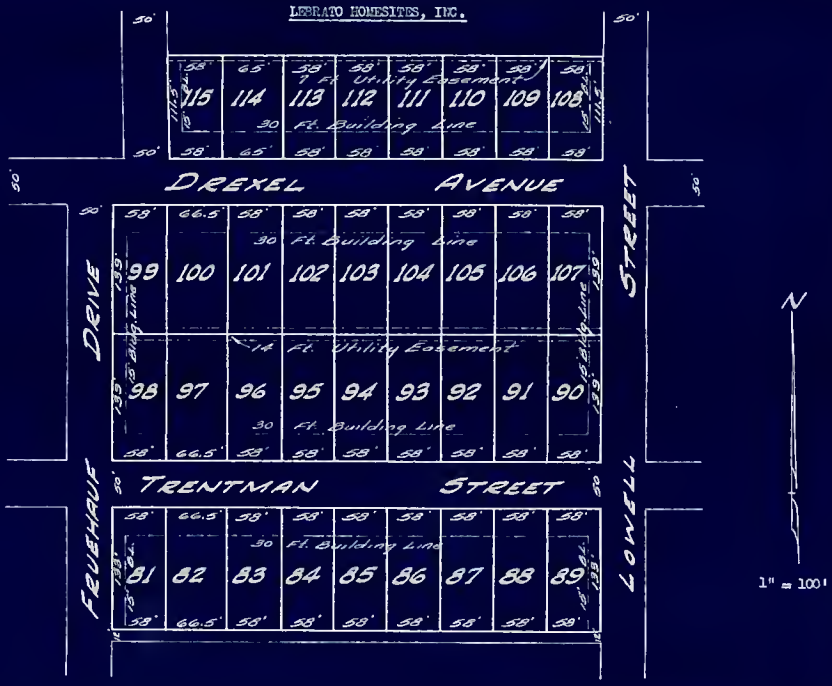
John E. Williams, Attorney for Corporation
202-04 Gettle Bldg. Fort Wayne, Indiana.
Phone E-6161.

May 25, 1956

PLAT OF SECTION "B", OAK PARK

AN ADDITION TO THE CITY OF FORT WAYNE, INDIANA

LEBRATO HOMESITES, INC.



The undersigned, Lebreto Homesites, Inc., by Joseph J. Lebrato, its President, and Charles R. Lebrato, its Secretary-Treesurer, being the Owners of lots numbered 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81 in Oak Ridge Addition to the city of Fort Wayne, Indiana, and lots numbered 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142 and 143, all in Pennsylvanie Place Addition to the City of Fort Wayne, Indiana, do hereby replet the said described lots, es shown on the Plat hereon, to be known as SECTION "B", OAK PARK, an Addition to the city of Fort Wayne, Indiana this 21st day of May, 1956.

LEBRATO HOMESITES, INC.

By: Joseph J. Lebrato
Joseph J. Lebrato, President

By: Charles R. Lebrato
Charles R. Lebrato, Secretary-Treesurer

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

Before me, a Notary Public, in end for said County and State, personally appeared Lebrato Homesites, Inc., by Joseph J. Lebrato, its President, and Charles R. Lebrato, its Secretary-Treasurer, and acknowledged the voluntery execution of the replat shown hereon for the usee and purposee therein set forth, this 21st day of May, 1956.

By: Mina L. Underwood
Mina L. Underwood, Notary Public

My Commission Expires: Jan 15, 1957

The undersigned Civil Engineer, registered as provided by Indiana Stetutes, hereby certifies that he has laid out the lots of the Plat of SECTION "B", OAK PARK, an Addition to the City of Fort Wayne, Indiana, as shown hereon and in conformity with the true and established lines of real estete described therein. The lots are numbered from 81 to 115 inclueive and the dimensions are shown on the Plat in feet and decimals.

In witness WHEREOF, the said Civil Engineer has hereunto set his hand and seal this 25th day of May, 1956.

By: Harry P. Hostetler
Registered Prof. Civil Engineer

* * * * * * * * * * * * * * * * * * * *

PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS AND EASEMENTS

PETITION

Fort Wayne, Ind., Sept 17, 1956

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real estate on _____, from _____ to _____ respectfully petition for the passage of a resolution providing for the

Petition for Passage

of a Resolution for

the vacating of the alley between

Drexel Ave. and Trentman Ave. running

east and west from Fruehauf Drive to

Lowell Street.

from

to

Filed with the Board of Public Works

Plans Ordered: 9/13/56

DECLARATORY
~~Improvement~~ Resolution No. 945-1956 For ~~Improving~~ THE VACATION OF THE ALLEY BETWEEN DREXEL AVENUE AND TRENTMAN AVENUE FROM THE EAST PROPERTY LINE OF FRUEHAUF DRIVE TO THE WEST PROPERTY LINE OF LOWELL STREET.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	LEBRATO HOMESITES, INC.	7718 Waynall Blvd.		LOTS 17 TO 22 INCLUSIVE			PENNSYLVANIA PLACE ADDITION
2	" "			LOTS 86 TO 98 INCLUSIVE			"
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25	NOTICES MAILED ~~OR SERVED~~						
26							
27	March 1, 1957						
28	By Nancy Hirard						
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945 - 10-22-56